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1958 NOV 14

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Classification

Control:

7229

Rec'd:

NOVEMBER 13, 1958

4:04 PM

FROM: BERLIN

DEPARTMENT OF STATE

TO: Secretary of State

NO: 322, NOVEMBER 13, 7 PM

SENT BONN 275, DEPARTMENT 322, MOSCOW 82 REPEATED INFORMATION LONDON, PARIS UNNUMBERED

BONN PASS USAREUR AND USAFE UNN.

PARIS PASS TOPOL.

REF: OUR TEL SENT BONN 273, DEPT 320, MOSCOW 80.

KHRUSHCHEV'S STATEMENTS RE POTSDAM AGREEMENT, STATUS BERLIN AND POLICY RE GDR APPEAR TO BE EXPLICIT FORMULATION OF POSITION PROGRESSIVELY DEVELOPED SINCE STATEMENT OCT 1957 BY GDR RE AIR SOVEREIGNTY (OUR DESPATCH 263). GDR 1957 YEARBOOK CLAIMED WEST POWERS HAD TERMINATED LEGAL RIGHT REMAIN BERLIN (OUR DESPATCH 385); KROEGER ARTICLE OF JAN 1958 FURTHER DEVELOPED GDR POSITION (OURTEL 772 TO BONN 835 TO DEPT). ALSO IN JAN 1958 GDR ASSUMED VISA CONTROLS AND SINCE THEN EFFORTS HAVE BEEN MADE FOR ALLIES DEAL WITH GDR IN PROTECTION THEIR NATIONALS (HELICOPTER AND MILROY CASES).

MORE RECENTLY IN MAJOR SPEECH OCT 27 (OUR DESPATCH 313), ULBRICHT CLAIMED BERLIN NEVER A SEPARATE OCCUPATION AREA AND WEST POWERS HAD UNDERMINED THEIR LEGAL POSITION BERLIN THROUGH FAILURE LIQUIDATE MILITARISM-FASCISM. HE ASSERTED THAT BOLZ-ZORIN AGREEMENT OF SEPT 20, 1955 PROVIDED USSR WOULD "TEMPORARILY" EXERCISE ON BEHALF GDR CERTAIN FUNCTIONS PERTAINING TO ACCESS AND SUPPORT WEST GARRISONS BERLIN.

ULBRICHT MADE SPECIFIC POINT THAT BOLZ-ZORIN AGREEMENT INCLUDES "BERLIN"; CONSEQUENTLY NO OCCUPATION CONTROLS OR SUPERVISION APPLY IN "DEMOCRATIC SECTOR."

IF SOVS

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-2- 322, NOVEMBER 13, 7 PM FROM BERLIN

IF SOVS HAD INTENTION TURN OVER REMAINING OCCUPATION FUNCTIONS
TO GER, AND IF SOVS NOT DISSUADED, CESSATION GDR OCCUPATION
PAYMENTS JAN 1959 MIGHT PROVIDE APPROPRIATE OCCASION.

BURNS

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